

RE: RE-SEND: January 17, 2023 City Council Agenda Items Notes \ Comments \ Questions From Daysog (slight correction)

Jennifer Ott

Fri 1/13/2023 10:54 AM

To: Tony Daysog <TDaysog@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>;
Cc: Andrew Thomas <athomas@alamedaca.gov>; Danielle Mieler <dmieler@alamedaca.gov>; Amy Wooldridge <AWooldridge@alamedaca.gov>; Nicholas Luby <nluby@alamedaca.gov>; Sharon Oliver <SOLIVER@alamedaca.gov>;

Hello Councilmember Daysog:

Please see below staff responses to your questions in **red bold**. Let me know if you have any further questions.

Thanks,
Jen

From: Tony Daysog <TDaysog@alamedaca.gov>
Sent: Tuesday, January 10, 2023 9:30 AM
To: Jennifer Ott <jott@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>
Subject: RE-SEND: January 17, 2023 City Council Agenda Items Notes \ Comments \ Questions From Daysog (slight correction)

Note to Jennifer, Yibin and Lara: asterix (*) denotes question for staff for night of 1/17/23. Double asterix (**) means please provide email response: please do not feel a need to rush an email response. Everything else is just me thinking out loud. Also: since speed is of essence in preparing these comments, there will always be typos and grammatical errors -- apologies! Also: if there is any agenda item that is quasi-judicial in nature, please let me know, so I correctly discuss this matter when I post my notes to my City Council Facebook page

-- Tony

+++++

Alameda City Council Meeting: January 17, 2023

@@@@@@@@@@@@@@@@@@@@
SPECIAL CITY COUNCIL MEETING CLOSED SESSION at 5:00 pm

1. Roll Call

+++++

2. Public Comment on Agenda Items

+++++

3. Adjournment to Closed Session

+++++

Item: 3-A
Topic: Alameda Golf Course
Link: <http://alameda.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=12492>

+++++

Item 3-B
Topic: Alameda Golf Course
Link: <http://alameda.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=12493>

+++++

4. Announcement of Action Taken in Closed Session, if any

+++++

5. Adjournment of Cosed Session

@@@@@@@@@@@@@@@@@@@@
REGULAR CITY COUNCIL MEETING at 7:00 PM

0. Pledge of Allegiance

+++++

1. Roll Call

+++++

2. Agenda Changes

+++++

3. Proclamations

+++++

4. Oral Communications: 1st of 2

+++++

5. Consent Calendar

+++++

Item: 5A.
Topic: Minutes of continued 12/6/2022 and Special and Regular Council Meeting Held on 12/20/2022
Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5986438&GUID=BE6E669E-FE58-44F2-8C77-E326F0F6C9A2&FullText=1>

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog

-- Attachment # sentences\phrases that seem interesting to Daysog

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:
Thank you!

+++++

Item: 5-B
Topic: Bills for Ratification
Link: <http://alameda.legistar.com/gateway.aspx?m=!&id=/matter.aspx?key=12496>
Attachment 1: Bills for Ratification <https://alameda.legistar.com/View.ashx?M=F&ID=11555949&GUID=85585D3C-BC25-46B9-8427-A23466F2BF4B>
Attachment 2:
Attachment 3:
Attachment 4:

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog

-- Exhibit 1 sentences\phrases that seem interesting to Daysog
"Anchor Alameda Assoc. for Art and Film PDF page 4 of 44: 5,000"
"West End Arts Entertainment Distr. PDF page 22 of 44: 5,000 / YTD 10K"

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:
Thank you

+++++

Item: 5-C
Topic: Open Govt Commission Member
Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5985134&GUID=2FD84849-51F4-41BA-B999-E565AC228F4B>
Attachment 1:
Attachment 2:
Attachment 3:
Attachment 4:

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog

-- Attachment # sentences\phrases that seem interesting to Daysog

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:
**1. Since Ruben Tilos will continue as my appointee, is it correct to say that the staff report need not make any mention of this, as appointee references in the staff report are for new appointees?
2. Is OGC-appointee Chris Miley on the Transportation Commission as well?

Lara is on vacation and will respond when she gets back on Tuesday.

+++++

Item: 5-D
Topic: Teleconference Meetings
Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5985998&GUID=2FEE0DA3-A68C-4F8A-A940-8026E19F4084&FullText=1>
Attachment 1:
Attachment 2:
Attachment 3:
Attachment 4:

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog
"City staff has implemented the technology components required for a hybrid meeting."
". . .Consistent with City Council direction on January 3, 2023, staff is working on the procedures and training in order to implement hybrid meeting as soon as possible, but no later than March 1, 2023."

-- Attachment # sentences\phrases that seem interesting to Daysog

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:
Thank you

+++++

Item: 5-E
Topic: Updates to the Existing Alameda Police Department Policy Manual to Conform to Best Practices and to Ratify Policies that Have Been Updated Pursuant to Legal Updates, Significant Liability Issues, and Imminent Safety
Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5986430&GUID=69DF5DEA-6D1E-4710-BDA4-BB9887D51983&FullText=1>
Attachment 1: Exhibit 1 - Policy Updates <https://alameda.legistar.com/View.ashx?M=F&ID=11555951&GUID=7E978DE4-B49F-4094-8F94-2D886FF308F8>
Attachment 2:
Attachment 3:
Attachment 4:

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog
". . . The Alameda Police Department (APD) contracts with Lexipol for the generation, retention, updating, and publishing of the APD policy manual."
". . . Before Lexipol, APD operated on a set of General Orders that functioned as a policy manual for the Department, and APD and the City Attorney's Office were solely responsible for monitoring evolving best practices, new case law, and changes in legislation."
" . . . Approximately eleven years ago, APD entered into an agreement with Lexipol . . . "
" . . APD also reviews Lexipol guidance and recommendations for what is appropriate for the Alameda community. "
". . . Additionally, APD has the ability to use Lexipol recommendations as a baseline to create a more restrictive policy for implementation into operations."
"300 - Use of Force . . . appropriateness of the term 'excited delirium has been re-evaluated . . . reviewing documents published by the medical community and other thought leaders . . . we have decided to remove the term"
"314 - Vehicle Pursuits . . . content that supports POST (Peace Officers Standards and Training) training requirements . . added"
"338 - Hate Crimes . . . post monthly on agency web hate crime information sent to CDOJ."
"468 - First Amendment Assemblies . . . achieved obligations wit respect to California Assembly Bill 1356 requiring law enforcement agencies to have a policy in place by January 1, 2023, for peace officer response to anti-reproductive rights incidents."

-- Attachment # sentences\phrases that seem interesting to Daysog

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:
Thank you.

+++++

Item: 5-F
Topic: Landscape Architecture for Design Services for De-Pave Park
Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5986431&GUID=F46FF428-09E9-497F-A3A2-0B638748A823&FullText=1>
Attachment 1: Exhibit 1 - Agreement <https://alameda.legistar.com/View.ashx?M=F&ID=11555948&GUID=272375FA-EE11-4DF4-8AE7-5B2B70F19139>

Attachment 2:
Attachment 3:
Attachment 4:

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog
". . . 729,967 ... with option to extend"
". . . De-Pave Park is a 12-acre ecological park in which all existing concrete from the former Naval Base airfield runway system will be removed to create tidal wetlands and wildlife habitat"
". . . planning work includes a Master Plan process with broad, inclusive community outreach using the De-Pave Park Vision Plan as a starting point and development of 30% design documents"
". . . De-Pave Park is designed to inundate over time with sea level rise and create a tidal ecology system, which has notable carbon sequestration benefits"
". . . March 3, 2020, City Council approved a list of Park and Recreation Facility Project Priorities which included and prioritized De-Pave Park"
". . . September 15, 2020, City Council approved the De-Pave Park Vision Plan"
". . . September 6, 2022, City Council approved acceptance of \$800,000 in Measure AA grant funds from SFBRA and approved a budget resolution authorizing allocation of \$50,000 in grant matching funds from the General Fund"
". . . Develop 30% design documents for regional permit applications"
". . . A raised boardwalk, accessible to people of all physical abilities, will provide opportunities for viewing shorebirds, waterfowl, and marine mammals in their natural habitat, as will trails and observation areas"
". . . broad community discussions regarding whether Buildings 25 and 29 should remain or be removed as part of the park design"
". . . De-Pave Park, when constructed, will have an immediate impact on reducing the carbon footprint of this site"
". . . this park will minimize this impact and be carbon positive within 4 years from the park construction and will even offset the original construction carbon impacts within 23 years"
". . . CARP action is to apply compost to parks and open spaces throughout Alameda"
". . . capacity to reduce tidal flooding due to the creation and enhancement of wetlands which protect shoreline from impeding tides and storm surges"
". . . De-Pave Park is that the design welcomes and adapts with sea level rise while continuing to function as a useable open public recreation area for the community to enjoy"

-- Attachment 1 sentences\phrases that seem interesting to Daysog
". . . 7th day of each month . . . submit an invoice for total amount of work done the previous month" (PDF page 2 of 24)
". . . Exhibit B " (PDF page 22 of 24)
". . . 12.a ProhibitionAgainst Transfers . . . shall not assign, sublease, hypothecate or transfer this Agreement w\o written consent of the City Manager. " (PDF page 6 of 24)
". . . 13.a Approval of sub-providers: only those persons and/or businesses whose name and resumes are attached . . .however . . ."
". . . 15. Reports . . . exclusive property of City " (PDF page 7 of 24)
". . . 19. Termination . . ." (page 9 of 24)
". . . Preliminary Master Plan . . Final Master Plan" (PDF page 21 of 24)
". . . 30% Design . . demo, grading, 'climate positive design analysis'" (PDF page 21 of 24)
---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:
1. "option to extend": what would be pay schedule if option exercised?
2. "30% design documents": might regional agencies require at least 60% drawing?
**3. What does "Captions" at "26. Captions" in Exhibit 1 page 10 of 24 refer to? IOW, what are "captions" as meant in this agreement?
**4. Do the Community Meetings (Rounds 1, 2, and 3) in Exhibit B include meetings with the Recreation and Planning Commissions, including review of guidance and direction from these Commissions?
**5. Would the City Council receive, review, and vote on the Refined Master Plan arrived at *after* completion of 3rd round of Community Meetings?

1. "option to extend": what would be pay schedule if option exercised?
Pay schedule would remain as established in the contract which requires the consultant to submit an invoice by the 7th day of each month.

2. "30% design documents": might regional agencies require at least 60% drawing?
No. It is standard to submit 30% drawings for regional permit applications. Additionally, this particular grant funding source has established the Bay Restoration Regulatory Integration Team (BRRIT) as a process to streamline regulatory permits for their grant projects such as De-Pave Park. The BRRIT meets quarterly and is comprised of staff from every regulatory agency (Army Corps, Water Board, BCD, USFWS, etc.). I'll be presenting to them the Master Plan and 30% documents for their review and feedback. When the City then submits the actual application to the regulatory agencies, the design is familiar to them and has already incorporated their feedback, making the process more efficient.

****3. What does "Captions" at "26. Captions" in Exhibit 1 page 10 of 24 refer to? IOW, what are "captions" as meant in this agreement?**
Captions refer to the Section Headings and this is saying that they do not legally bind the City. It's the text of the agreement that binds the City. This agreement is the City's standard agreement framework and this is included in every standard City agreement.

****4. Do the Community Meetings (Rounds 1, 2, and 3) in Exhibit B include meetings with the Recreation and Planning Commissions, including review of guidance and direction from these Commissions?**
These 3 rounds community meetings are specifically with community members, separate from the Commission/Council public process. Each round will include multiple outreach efforts, which could include onsite community engagement meetings, meetings at local schools/organizations, survey, etc. Through this process, the consultant will create three design alternatives. I will bring these alternatives to the Recreation and Parks Commission for feedback. They also would then review, comment and provide a recommendation to Council for the draft final Master Plan. These types of projects don't normally go before the Planning Board but I will work with staff and determine if it's appropriate. We will also take it to the Commission on Persons with Disabilities.

****5. Would the City Council receive, review, and vote on the Refined Master Plan arrived at *after* completion of 3rd round of Community Meetings?**
Yes, the City Council will review and vote on the final Master Plan after input from the community meetings and Board/Commissions is incorporated.

+++++

6. Continued Agenda Item

+++++

7. Regular Agenda Items

****1. Note: "6 members of the public may speak for up to 3 minutes; 7 or more may speak for up to 2 minutes" . . . maybe reword this? It sounds like 6 people are privileged with the ability to speak 3 minutes while the rest are less privileged with a 2-minute speaking time. Obviously, this is not the intent. Maybe . . . "Members of the public may speak up to 3 minutes each, unless a 7th public member is identified, at which point speaking time is limited to 2 minutes per person." (DOWNSIDE: this is a bit verbose)**

+++++

Item: 7-A
Topic: Severe Winter Storms Emergency Declaration
Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5986440&GUID=C73AE53E-40E4-41CB-B27D-04790415D94B&FullText=1>
Attachment 1: Exhibit 1 - California State of Emergency <https://alameda.legistar.com/View.ashx?M=F&ID=11555961&GUID=0B829F07-F4E3-4F53-868A-6406C97807F3>
Attachment 2: Exhibit 2 - Declaration of Local Emergency <https://alameda.legistar.com/View.ashx?M=F&ID=11555959&GUID=66A04BA9-3727-488C-99F4-82377E289F78>
Attachment 3: Resolution <https://alameda.legistar.com/View.ashx?M=F&ID=11555966&GUID=54EE539D-D700-4D08-AADA-58BB0270AA6B>
Attachment 4:

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog
". . . Governor Gavin Newsom proclaimed a State of Emergency (Exhibit 1) to exist throughout California on January 4, 2023, to assist local governments and protect public health and the environment"
". . . City Manager and Director of Emergency Services found conditions of extreme peril to the safety of persons and property caused by these storms to exist in the City and issued a Declaration of Local Emergency on January 4, 2023"
". . . If the City's Declaration of Local Emergency expires in seven days as expected, there will be no need for the City Council to continue or renew the emergency"
". . . The Alameda Municipal Code Chapter 2-24 defines a local emergency as 'the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the jurisdiction.'
". . . "

-- Attachment 1 sentences\phrases that seem interesting to Daysog
". . . The Office of Emergency Services shall provide assistance to local governments" (PDF page 2 of 4)

-- Attachment 2 sentences\phrases that seem interesting to Daysog
". . . Whereas Sec. 2-24.6 of the AMC empowers Director of Emergency Services to proclaim the existence or threatened existence of a local emergency . . . "
". . . does hereby find conditions of extreme peril to safety of persons and property "
". . . expires on January 11 . . unless extended on January 17'
". . . issuance date: January 4, 2023"

-- Attachment 3 sentences\phrases that seem interesting to Daysog
". . . Whereas, on January 4, 2021, the State of California proclaimed . . ."

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:
1. In Attachment 3 (Resolution), the fourth pre-ambulatory clause ("Whereas . . ") references "January 4, 2021": did we mean January 4, 2023?

Yes, and it was fixed in a revised resolution that is attached to the agenda.

**2. Does the issuances of a local emergency in any way enhance local property owners' position relative to their own insurance carriers, in the event their property was damaged by the event triggering the local emergency? Or, put another way, does the absence of a local emergency affect property owners' position relative to their own insurance carriers, in the event their property was damaged by the event triggering the local emergency?

Issuing a city emergency declaration may assist community members that have sustained a loss that is not covered or not fully covered by insurance or, in the case the person did not have any insurance coverage at all, such as renters. But insurance is used first. We are working with the Alameda County Emergency Operation Center to report damages and meet thresholds for receiving individual assistance opportunities for the community. The State of California requested and received an emergency declaration from the President of the United States, which may allow community members to get additional benefits if their property is damaged.

+++++

Item: 7-B
Topic: Equitable Building Decarbonization Plan.
Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5985152&GUID=07326455-E633-49D2-BD84-ED5935DA25CD&FullText=1>
Attachment 1: Exhibit 1 - Equitable Building Decarbonization Plan <https://alameda.legistar.com/View.ashx?M=F&ID=11552885&GUID=EF9D805E-1108-4E8F-8AA8-47E930D8731D>
Attachment 2: Resolution <https://alameda.legistar.com/View.ashx?M=F&ID=11552889&GUID=A5FF66E1-37BC-45D5-BAF8-767EB9EC8DB8>
Attachment 3: Presentation <https://alameda.legistar.com/View.ashx?M=F&ID=11552890&GUID=7D553F43-8263-47C4-BB9C-F1DC6964F5B6>
Attachment 4: Correspondence <https://alameda.legistar.com/View.ashx?M=F&ID=11552888&GUID=CCBD0A37-CA02-4CE6-94BD-OCF90CB01078>
Attachment 5: Goldman report <https://www.alamedaca.gov/files/assets/public/city-manager/documents/building-electrification/funding-and-financing-building-electrification.pdf>
DAYSOG STAFF REPORT REVIEW:

-- Staff report sentences\phrases that seem interesting to Daysog
". . . long term plan and process for shifting natural gas use in existing buildings toward clean, energy efficient all-electric buildings"
". . . phased approach for community education and participation in the development of new policies and programs, financing options, and expanded rebates to incentivize electrification of Alameda building stock"
". . . CARP: reduce emissions by 50% below 2005 levels and achieve carbon neutrality as soon as possible "
". . . AMP: 100% clean, carbon free electricity since 2020"
". . . 70% of Alameda’s greenhouse gas (GHG) emissions come from transportation, 27% from natural gas use in buildings, and three percent (3%) from other sources such as waste, water, and wastewater"
". . . The Plan includes three phases: Immediate (2022-2023), Near Term (2024-2025), and Long Term (2026-2030)"

-- Attachment 1 sentences\phrases that seem interesting to Daysog
". . . a phased approach for equitably implementing the needed programs, policies, financing and engagement by 2030 to decarbonize existing buildings" (PDF 4 of 49)
". . . shifting from natural gas use towards energy efficient, all-electric buildings" (PDF 4 of 49)
". . . Education and Outreach / suite of policy options and programs to target different points of intervention / : Identify financing mechanisms to reduce barriers / Alameda Municipal Power" (PDF 4 of 49)
". . . Immediate Phase 2022-2023: Policies Programs: Support voluntary adoption of energy efficiency and electrification measures " (PDF 7 of 49)
". . . Immediate Phase 2022-2023: Financing: Explore revenue measures such as bonds or taxes that could support low- and moderate income owners, and small landlords" (PDF 7 of 49)
". . . Near: 2024-2025: Financing: Consider split user’s utility tax, refundable transfer tax for energy efficiency, electrification and/or seismic and flood retrofits, and other available financing options" (PDF 8 of 49)
". . . Near: 2024-2025: Expand targeted rebate programs for income qualified customers" (PDF 8 of 49)
". . . Long: 2026-2030: Policies: Consider Building Performance Standards " (PDF 9 of 49)
". . . Long: 2026-2030: Policies: 'gas pruning' measures" (PDF 9 of 49)
". . . The City of Berkeley adopted the Existing Buildings Electrification Strategy in November 2021." (PDF 12 of 49)
". . . The City of San Jose adopted Electrify San José: A Framework for Existing Building Electrification in June 2022." (PDF 12 of 49)
". . . The City of Piedmont adopted reach codes in June 2021 for electrifying existing low-rise residential buildings and Home Energy Assessment Policy that requires sellers to provide an energy assessment during a home sale" (PDF 12 of 49)
". . . Menlo Park, San Francisco and Oakland are in the process of developing strategies to electrify existing buildings" (PDF 13 of 49)
". . . California has set a goal of reducing GHG emissions by 40 percent below 1990 levels by 2030 and becoming carbon-neutral by 2045" (PDF 13 of 49)
". . . Electrify Buildings: Replace gas appliances in buildings with electric ones for space heating, water heating, clothes drying, and cooking." (PDF 15 of 49)
". . . For most buildings in Alameda, space heating, water heating, cooking and clothes drying are the main sources of natural gas use." (PDF 17 of 49)
". . . Low Cost and Interim Options" (PDF 18 of 49)
". . . Leading with Equity" (PDF 19 of 49)
". . . Equity Principles: everyone affords to switch; no disproportionate impacts on low-Y; simple\seamless (PDF 20 of 49)
". . . The City published an electrification survey in March 2022 on the building electrification webpage, which was designed to understand where the community is with regards to electrification. It includes questions about familiarity with electrification, potential concerns and opportunities, and awareness of currently available rebates and incentives." (PDF 22 of 49)
". . . calculator only demonstrates the impact for electrifying existing single-family homes, we expect it to show similar trends for other building types" (PDF 23 of 49)
". . . Near Term: Time of Sales: Require energy audit or score; Require electrification element or improved energy efficiency; Provide a refundable transfer tax; Require code compliance where any previous unpermitted work in the building should be brought up to code" (PDF 23 of 49)(PDF 4 of 49 says "voluntary" in near term)
". . . End of Useful Life Replacement: . For some appliances, such as water heaters and furnaces, where a permit process is involved, the city can require an electric replacement. (PDF 24 of 49) (PDF 4 of 49 says "voluntary" in near term)
". . . To prioritize vulnerable communities and affordable housing, the City will seek opportunities to conduct a direct install pilot with affordable housing units." (PDF 24 of 49)
". . . Financing and Funding: After factoring in these available incentives, the funding gap for low and moderate income residential building decarbonization was estimated at ~\$650 million" (PDF 25 of 49)
". . . Since TECH Clean California incentives were temporarily suspended in 2022 due to the program being oversubscribed, the funding gap would be even greater than the previous estimate." (PDF 25 of 49)
". . . Given the inability of most low- and moderate-income households to pay for the upfront costs of electrification" (PDF 25 of 49)
". . . In 2022, a team of UC Berkeley Goldman Public Policy students developed the 'Funding and Financing the Electrification of Low- and Moderate-Income Residential Buildings in the City of Alameda'" (PDF 25 of 49)(<https://www.alamedaca.gov/files/assets/public/city-manager/documents/building-electrification/funding-and-financing-building-electrification.pdf>) (<https://ia904703.us.archive.org/31/items/funding-and-financing-building-electrification/funding-and-financing-building-electrification.pdf>)
". . . On-bill financing allows customers to obtain loans from their utility to pay for the for the upfront cost of energy efficiency and/or building electrification projects. On-bill financing is designed to use energy savings from a project to pay back the loan over time while reducing the overall utility bill. Like on-bill financing, tariffed on-bill (TOB) financing or inclusive financing also provides upfront capital for retrofit projects" (PDF 26 of 49)
". . . Municipal Taxes and Bonds" (PDF 26 of 49)
". . . Universal tax structures can be highly regressive and should be paired with adequate exemptions, protection for low- and moderate-income households, and ensure that the distribution of funding prioritizes investment into low- and moderate income communities" (PDF 27 of 49)
". . . Explore revenue measures such as bonds or taxes that could support low- and moderate-income owners, and small landlord" (PDF 30 of 49)
". . . Building Stock Analysis: 1,400 commercial buildings: 7% of building stock ---> accounts for 30% of natural gas" (PDF 33 of 49)
". . . 15K single-family homes / 2.4K multi-family *buildings*

-- Attachment 2 sentences\phrases that seem interesting to Daysog
Thank you.

-- Attachment 3 sentences\phrases that seem interesting to Daysog
Thank you.

-- Attachment 4 sentences\phrases that seem interesting to Daysog
". . .Bay East Association of Relators: concerned about mandting audits at time-of-sale: market in flux, and focuses only on small portion of homes" (PDF 3 of 6)
". . . complicates purchases with affordability issues: re uiring expensive and costly upgrades" (PDF 3 of 6)

" . . administratively burdensome" (PDF 3 of 6)
" . . . t.o.s. requirements too many unintended consequences" (PDF 3 of 6)
" . . . Paul Beusterian: prioritize car-charing infrastructure since GHG motsly from vehicles" (PDF 5 of 6)

-- Attachment 5 sentences\phrases that seem interesting to Daysog
". . . funding gap needed for lowand moderate-income residential building decarbonization, with a total estimated cost of ~\$650 million" (PDF 10 of 44)
". . . the avg gap in funding by housing unit: \$25,868" (PDF 16 of 44)
". . . gap for market rate units was \$23,898" (PDF 16 of 44)
". . . gap for low-income units was \$27,837" (PDF 16 of 44)"
". . . SFU gap: highest: \$35,000 to \$40,000" (PDF 16 of 44)
". . . close gap: ratepayer funding . . . debt . . . TOB (PDF 18 of 44)
". . . The utility pays for the electrification upgrades at a specific residence or building and recovers the costs over time through a dedicated charge on the utility bill." PDF 19 of 44)
". . . Ideally and typically, the contract is structured such that the additional bill charge is less than the estimated bill savings from the energy efficiency improvements, thereby net saving the customer money on a monthly basis" (PDF 19 of 44)
". . . The best way to reduce the payback period, in particular for vulnerable and low- or moderate-income households, is to limit or reduce the total project costs that need to be financed through an on-bill tariff." (PDF 19 of 44)
". . . there are currently no cities in California offering tariffed on bill financing for electrification or energy efficiency upgrades, though this will likely change in the coming year" (PDF 19 of 44)
". . . Despite the opportunities that tariffed on-bill financing poses for AMP customers, the utility has indicated that they are unable to facilitate a tariffed on-bill program with their current billing structure." (PDF 20 of 44)
". . . New Tax-Based Funding and Financing" (PDF 21 of 44)
". . . A growing number of cities across the U.S. have passed new municipal tax measures that are targeted specifically at higher-income residents, corporations including larger and higher-revenue corporations, and large polluters." (PDF 21 of 44)
". . . Municipal Bond Solutions" (PDF 25 of 44)
". . . General obligation bonds, or GO bonds, are backed by general revenue from the issuing municipality (paid through taxation) whereas revenue bonds use revenue from a specific source (e.g. toll roads)" (PDF 25 of 44)
". . . How many and how rapidly are low- and moderate-income buildings electrified?" (PDF 28 of 44)
". . . Funding gap recommendations" (PDF 34 of 44)
". . . The above analysis does not include potential federal funding from LIHEAP or WAP" (PDF 39 of 44)
". . . The city should conduct an in-depth evaluation of capacity restraints, capabilities, and contracting needs as it relates to AMP’s ability to implement tariffed on-bill financing." (PDF 35 of 44)
". . . Implement a Utility User Tax"
". . . Conducting a highly specific and robust building decarbonization and electrification cost analysis for the City of Alameda, referencing Building Electrification Institute (BEI) and Firefly Consulting analysis for the City of Berkeley as an example" (PDF 37 of 44)

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:
**1. Goldman study uses a very odd methodology for defining "moderate" income: . . . "Moderate-income households (those that fall below 80% of Area Median Income and above 200% of the Federal Poverty Line)" (see Attachment 5: Goldman Report: PDF 7 of 44). Based on calculations at PDF 34 of 44, it would appear this odd use of "moderate income" is at the heart of the analysis. Please provide a lay-person's version of how "moderate income" is used in the Plan and in the Goldman attachment, as it does not appear to align with the technical definition of moderate income (ie 80% to 120% of median income).
**2. Taking into consideration how the response to #2 above affects the answer to this question, in the event the Plan refers to "moderate income" as defined by Census, HUD or HCD, please discuss whose standard will the Plan use when it comes to determining Low and Moderate-Income thresholds? Will we use HCD Annual County Income Limits tables (<https://www.hcd.ca.gov/docs/grants-and-funding/inc2k22.pdf>)? Or, will we use US Census ACS figures ([https://data.census.gov/table?t=Income+\(Households,+Families,+Individuals\)&g=0400000US06_0500000US06001_1600000US0600562&y=2021&tid=ACST5Y2021.S1901](https://data.census.gov/table?t=Income+(Households,+Families,+Individuals)&g=0400000US06_0500000US06001_1600000US0600562&y=2021&tid=ACST5Y2021.S1901))?
3. Question: Regardless of how "moderate income" is defined, I couldn't tell how under the Plan low and moderate-income households would pay taxes, so let me ask these questions. With respect to "tax", I am referring to all tax referred to on PDF 27 of 49 (sales, carbon, UUT, refundable transfer tax, and any tax mechanisms used to service any kind of bonds){Where appropriate, please discuss how the Plan would "pair" exemptions or protections with any of the taxes below to address regressivity?:
3A: will low-income renting households residing in single-family homes be directly or indirectly subject to a tax?
-- sales: (note: if "Yes", a simple "Yes" will suffice -- this applies to the other taxes).
-- carbon:
-- UUT:
-- refundable transfer:
-- tax mechanisms servicing bonds:
-- others?
3B: will low-income renting households residing in a multi-family homes be directly or indirectly subject to a tax?
-- sales:
-- carbon:
-- UUT:
-- refundable transfer:
-- tax mechanisms servicing bonds:
-- other?:
3C: will moderate-income renting households residing in single-family homes be directly or indrectly subject to a tax?
-- sales:
-- carbon:
-- UUT:
-- refundable transfer:
-- tax mechanisms servicing bonds:
-- other?:
3D: will moderate-income renting households residing in a multi-family homes be directly or indirectly subject to a tax?
-- sales:
-- carbon:
-- UUT:
-- refundable transfer:
-- tax mechanisms servicing bonds:
-- other?:
3E: will low-income home-owning households residing in single-family homes be subject to a tax?
-- sales:
-- carbon:
-- UUT:
-- refundable transfer:
-- tax mechanisms servicing bonds:
-- other?:
3F: will low-income home-owning households residing in a multi-family homes be subject to a tax?
-- sales:
-- carbon:
-- UUT:
-- refundable transfer:
-- tax mechanisms servicing bonds:
-- other?:
3G: will moderate-income home-owning households residing in single-family homes be subject to a tax?
-- sales:
-- carbon:
-- UUT:
-- refundable transfer:
-- tax mechanisms servicing bonds:
-- other?:
3H: will moderate-income home-owning households residing in multi-family homes be subject to a tax?
-- sales:
-- carbon:
-- UUT:
-- refundable transfer:
-- tax mechanisms servicing bonds:
-- other?:

4. Attachment 1 (Exhibit 1) on PDF 30 of 44 states, "Explore revenue measures such as bonds or taxes that could support low- and moderate-income owners, and small landlord": question: did we really mean "low- and moderate-income owners" -- or did we mean low- and moderate-income renters and owners?
5. **Question: given the plan proposes the inclusion of moderate-income households as potential targeted beneficiaries of Plan subsidies and activities, what is the estimated number of moderate- and low-income households by tenure that would be eligible for exemptions and protections to ameliorate regressive funding mechanisms, if such mechanisms are adopted? Based on Goldman report at PDF 34 of 44, it appears that the Plan contemplates no more than 1,515 multi-family *buildings* -- but how many multi-family units?
6. Comment\Observation: Imagine, if you will, arranging every single one of Alameda's 30,500+ households, starting with households #1 with the very lowest income all the way to household #30,500 with the highest income. By definition, the income of the household exactly in the middle of this array (ie household #15,250) is the medianth household whose income represents "median household income", which according to the most-current US Census ACS 5-year 2016-2021 average is \$113,339 (no household-size adjustment). But .. think about what this means in light of the inclusion of "moderate-income" as eligible for targeted assistance . . . by definition, households that make anywhere between 80% and 120% of the median household income are "moderate income households." So, since we know the medianth household is household #15,250, this means that, of the 30,500 households in Alameda, at a minimum, 15,250 will be eligible for direct or indirect subsidies, with the reality that the the number of households eligible for assistance goes higher than can go higher to an estimated 17,500 households.
- **7. With respect to exploring "revenue measures such as bonds or taxes that could support low- and moderate-income owners, and small landlord" (Exhibit 1 PDF 30 of 44), has staff considered paying for the these bonds by reducing City Hall expenditures, particularly expenditures paid for by the AMP-City Hall annual transfer?
- **8. What thoughts has staff given to exempting seniors residents from the costs of the program?
9. Above all, there needs to be a clear table as to who is paying by housing type (SFU versus MFU), by tenure (owner-occupied and renter-occupied), and by income (low-, moderate, and above-moderate). The tables need to include at a minimum an estimated average annual payment in taxes\fees, so people understand what they can expect to contribute to make the Plan work.
10. There needs to be a clear table as to who receives relief by housing type (SFU versus MFU), by tenure (owner-occupied and renter-occupied), and by income (low-, moderate, and above-moderate).
11. At PDF 34 of 49, we need to state the number of rental *units* that are contained within the 2,400 rental *buildings*.
12. Comment\Observation: the Goldman report has on PDF 34 of 44 a remarkable table, the likes of which I enjoy seeing: cross-tabbed table with housing type on one side compared against funding programs.
13. Comment\Observation: I am preliminarily concluding that the Plan does not actually include "moderate income households" as defined by US Census, HUD or HCD: if so, please consider removing references to "moderate income" because this creates an expectation that perhaps is not so.
14. Based on the table presented in the Goldman report at PDF 7 of 44, I concluded that the cost of the decarbonization program for a single-famly home in Alameda regardless of income status is \$48,774 (ie \$788M divided by 16,156 SFU).(See Goldman at ODF 7 of 44).
15. Based on information presented in Goldman at PDF 34 of 44, the total cost per LMI single-family home us \$67,484 (ie \$316.5M divded by 4,690), excluding state and AMP programs.
16. It is difficult to calculate the per unit cost of multi-family units, since multi-family units are expressed as "buildings".

Responses to Council Member Daysog questions 1, 2, and 3A through 3H regarding Item 7B – Decarb Plan. (Questions are shown below)

Staff agrees with Councilmember Daysog that the reference and description of “moderate income” in the graduate student report exhibit is very odd. When City staff references “moderate income,” staff is using the same definition as all existing city documents, HUD and HCD, which is 80% to 120% of median income. Unless the Council directs staff otherwise, going forward, staff will continue to use the existing City/HUD/HCD definition of moderate income in any future proposed legislation, regulation or tax.

As described in the Decarb Plan, any future city regulation, code amendment, or any future proposed tax, any future proposed bond measure proposed to help fund decarbonization or require changes to buildings would first need to go through and extensive public education and outreach process. Only after a full public discussion, would staff make recommendations to the City Council for a particular new regulation, code amendment, or funding, and whether that regulation, code, tax, or bond measure should have special provisions for lower income or moderate income households or property owners. Staff cannot foresee any circumstance where in a future code or tax, it would make sense to introduce a new definition of “Moderate Income”. Introducing new definitions for commonly used terms in existing city codes and ordinances is usually not a good idea because it creates confusion, mistakes, and problems. Consistent definitions across all City documents is a great idea.

Regarding questions 3A through 3H. When developing future funding sources for Climate Change adaptation, which may include some, all, or different funding strategies than those listed in PDF page 27 or 49, staff and City Council will need to consider the impact of that tax on all income groups in Alameda and how the tax or other funding mechanism would affect property owners as well as renters. Staff fully expects that a range of funding sources will be necessary and that there will need to be special funds or exemptions established for lower income property owners who cannot afford the costs of upgrading their property. If it is a cost to a landlord, that will be passed through to low income renters, then the analysis will need to consider the financial impacts of those pass-through and whether a program or funding source is needed to off-set those impacts to the renters.

As stated in the report, staff believes that any future tax measure would need to be paired with “adequate exceptions and protections to protect low- and moderate-income and otherwise vulnerable populations, and/or ensure distribution of funding prioritizes investment into those same populations and negates any unintended consequences”. CARP also suggests a number of funding mechanisms such as creating a new Climate Fund that could be used as a local match for grants to reduce GHG emissions and adapting to climate change, an infrastructure bond and development impact fees. At this time, analysis of the impacts of specific tax policies has not been conducted and would depend on the specific details being proposed as well as any protections in order to affirmatively answer the questions below.

The Decarb Plan is a “road map.” It is setting up a process by which the City works with the community and council to incrementally create new programs, funding sources and requirements to slowly, step by step, incrementally reduce GHG emissions from Alameda’s building stock. The Council has already taken the first steps: 1) Prohibiting gas infrastructure in new buildings (with certain exceptions), 2) Prohibiting replacement of existing gas appliances in “major remodels” where the existing building is being almost completely rebuilt (with certain exceptions). The Decarb Plan lays out a roadmap for future public decision making about what the next steps should be. Each step is initiated with public outreach and discussion. Each step will end with a City Council decision. The council will approve the next step only if the Council is comfortable with the next step. Endorsing the Decarb Plan does not prevent or “tie the hands” of this Council or any future Council or predetermine what a future City Council action must or will be on any future regulation or tax.

+++++

Item: 7-C
Topic: Mobility Element to General Plan
Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5986433&GUID=A53EDA53-DBBA-40DB-AD8C-3DA60F1E10F4&FullText=1>
Attachment 1: Exhibit 1 - Draft General Plan Mobility Element Street Classification Appendix <https://alameda.legistar.com/View.ashx?M=F&ID=11555930&GUID=038FA4EC-88C6-435E-AFD3-3B93865A8AF0>
Attachment 2: Exhibit 2 - 2009 Street Classification Appendix <https://alameda.legistar.com/View.ashx?M=F&ID=11555934&GUID=150B8EC8-B45E-4809-A29C-6D26294A3221>
Attachment 3: Resolution <https://alameda.legistar.com/View.ashx?M=F&ID=11555939&GUID=2E8F85EF-A936-4F8A-A0B6-333B658EA3D4>
Attachment 4:

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog
Forthcoming

-- Attachment # sentences\phrases that seem interesting to Daysog
Forthcoming

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:
Note: comments forthcoming

+++++

8. City Manager Communications

+++++

9. Oral Communications

+++++

10. Council Referrals

+++++

Item: 10-A
Topic: a Process to Modify the City Charter to Increase the City Council to Have Seven Members
Link: <http://alameda.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=12473>

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog
Forthcoming

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:
**NOTE: Please re-schedule this to first meeting in March, 2023

+++++

Item: 10-B
Topic: Narcan
Link: <http://alameda.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=12488>
Attachment 1:
Attachment 2:
Attachment 3:
Attachment 4:

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog

-- Attachment # sentences\phrases that seem interesting to Daysog

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:

+++++

Item: 10-C
Topic: Holiday Tree, Menorah, Kwanzaa etc at City Hall
Link: <http://alameda.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=12489>
Attachment 1: June 10, 2021 Rec and Park Agenda <http://alameda.legistar.com/gateway.aspx?M=F&ID=47eca054-4386-4f3f-9a8f-34fe99d6db48.pdf>
Attachment 2: June 10 Rec and Park Minutes <http://alameda.legistar.com/gateway.aspx?M=F&ID=c59bafab-b2fc-4cd2-9bb3-6db6349368b4.pdf>
Attachment 3: June 7 Council Referral <http://alameda.legistar.com/gateway.aspx?M=F&ID=06274d37-8056-4d3b-ad7b-beb805d09882.pdf>
Attachment 4:

DAYSOG STAFF REPORT REVIEW:
-- Staff report sentences\phrases that seem interesting to Daysog

-- Attachment # sentences\phrases that seem interesting to Daysog

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:

+++++

11. Council Communications

+++++

12. Adjournment